

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

J. DUANE GILLIAM, Guardian of the Estate of Leon Brown, RAYMOND C. TARLTON, Guardian Ad Litem for HENRY LEE MCCOLLUM, and KIMBERLY PINCHBECK, as Limited Guardian and Conservator of the Estate of Henry Lee McCollum

Civil Action No. 5:15-cv-00451-BO

Plaintiffs,

v.

ROBESON COUNTY, TOWN OF RED SPRINGS, KENNETH SEALY, both individually and in his Official Capacity as the Sheriff of Robeson County, LARRY FLOYD, LEROY ALLEN, PAUL CANADAY, Administrator C.T.A. of the Estate of Luther Haggins, ROBERT PRICE, Administrator C.T.A of the Estate of Joel Garth Locklear, Sr., CHARLOTTE NOEL FOX, Administrator of the Estate of Kenneth Snead,

Defendants.

MOTION TO INTERVENE AND TO EXTEND DEADLINE TO RESPOND TO
PLAINTIFFS' MOTION FOR LEAVE

Non-party Lexington Insurance Company (“Lexington”) respectfully moves to intervene in this action pursuant to Federal Rule of Civil Procedure 24 for the limited purpose of opposing Plaintiffs Leon Brown and Henry Lee McCollum’s Motion for Leave to File Supplemental Complaint (ECF No. 508). Lexington also moves to extend the deadline to respond to Plaintiffs’ Motion for Leave until 21 days after the Court’s ruling on the instant motion. The basis for this motion is set forth in the accompanying brief.

Submitted this 11th day of March, 2024.

/s/ Kelsey L. Kingsbery

Kelsey L. Kingsbery

N.C. Bar No.: 51736

ALSTON & BIRD LLP

555 Fayetteville Street, Suite 600

Raleigh, North Carolina 27601

Telephone: 919-862-2227

Facsimile: 919-862-2260

E-mail: kelsey.kingsbery@alston.com

Attorney for Movant Lexington Insurance Company

CERTIFICATE OF SERVICE

This is to certify that this day, March 11, 2024, I electronically filed the foregoing MOTION TO INTERVENE AND TO EXTEND DEADLINE TO RESPOND TO PLAINTIFFS' MOTION FOR LEAVE with the Clerk of the Court using the CM/ECF system which will send notification of such filing and effectuate service to all counsel of record in this matter.

/s/ Kelsey L. Kingsbery

Kelsey L. Kingsbery
N.C. Bar No.: 51736
ALSTON & BIRD LLP
555 Fayetteville Street, Suite 600
Raleigh, North Carolina 27601
Telephone: 919-862-2227
Facsimile: 919-862-2260
E-mail: kelsey.kingsbery@alston.com

Attorney for Movant Lexington Insurance Company